

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
CECIL J. HODGIN,  
  
Defendant.

Case No. CR09-351-JLR

**PROPOSED FINDINGS OF FACT  
AND DETERMINATION AS TO  
ALLEGED VIOLATIONS OF  
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on May 12, 2011. The defendant appeared pursuant to a warrant issued in this case. The United States was represented by Andy Colasurdo, and defendant was represented by Jeffrey B. Coopersmith. Also present was Senior U.S. Probation Officer Jennifer Tien. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on February 1, 2010 by the Honorable James L. Robart for Bank Fraud. He received 8 months of detention, and 5 years of supervised release. On October 18, 2010, the Court signed a no action request after Mr. Hodgin admitted to using methamphetamine shortly after his release from custody.

PROPOSED FINDINGS OF FACT AND  
DETERMINATION AS TO ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE - 1

PRESENTLY ALLEGED VIOLATIONS

In a petition dated April 20, 2011, Senior U.S. Probation Officer Jennifer Tien alleged that defendant violated the following conditions of supervised release:

1. Using methamphetamine on or before October 6, 2010, in violation of standard condition number 7.
2. Using methamphetamine on or before April 6, 2011, in violation of standard condition number 7.
3. Failing to report for drug testing on January 10, 2011m; April 4, 2011; April 18, 2011; and April 19, 2011, in violation of the special condition of drug aftercare.
4. Failing to report to the probation officer on April 19, 2011, in violation of standard condition number 2.

FINDINGS FOLLOWING EVIDENTIARY HEARING

Defendant admitted the above violations, waived any hearing as to whether they occurred, and was informed the matter would be set for a disposition hearing on June 6, 2011 at 10:00 a.m. before District Judge James L. Robart.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release as alleged above, and conduct a disposition hearing.

DATED this 12th day of May, 2011.



BRIAN A. TSUCHIDA  
United States Magistrate Judge